UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,387	07/11/2000	Mark E. Valenti		1188

7590 07/02/2003

Christopher B Kilner Esq
Roberts Abokhair & Mardula LLC
11800 Sunrise Valley Drive Suite 1000
Reston, VA 20191-5302

EXAMINER	
TRAN, PHILIP B	

ART UNIT	PAPER NUMBER
2155	13

DATE MAILED: 07/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)
09/613,387	Valenti
Examiner	**Art Unit**
Philip B. Tran	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *three* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Apr 16, 2003* .

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-17* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

Response to Amendment

1. This office action is responsive to the amendment filed on April 16, 2003. Claims 1-7 have been amended. Claims 8-17 have been newly added. Therefore, claims 1-17 are presented for further examination.

Claim Rejections - 35 U.S.C. § 103

2. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 5-6, 8 ~~and 13~~ 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Frauenhofer et al (Hereafter, Frauenhofer), U.S. Pat. No. 6,236,991 in view of Hirai, U.S. Pat. No. 6,324,577.

Regarding claim 1, Frauenhofer teaches a method of instantaneously searching a network of interconnected computers and servers comprising :

a plurality of information servers connected to a network and categorizing general content stored on themselves and collecting and storing the categorization on at least one IBSP server (i.e., collecting, categorizing and searching metadata about contents including URLs provided on the Internet and/or Intranet) [see Figs. 1-2 and Abstract and Col. 4, Line 3 - Col. 5, Line 12];

transmitting the categorization of the plurality of information servers from an IBSP server to broadcast server nodes over the network (i.e., delivery of categorizing data including URLs in

accordance with user profiles) [see Figs. 1-2 and Abstract and Col. 3, Lines 20-60 and Col. 5, Lines 1-11];

accepting a query on a user node connected to the network and transmitting the query from the user node directly to a broadcast server over the network and the broadcast server receiving and transmitting the user node query to the plurality of information servers and the information servers instantaneously searching themselves for specific content responsive to the user node query (i.e., obtaining user query and transmitting the query to the server and searching for categorizing data based on user profile) [see Figs. 1-2 and Abstract and Col. 5, Lines 13-47]; and

each of the plurality of information servers transmitting a response to the user node query to the user node when responsive content is found (i.e., sending documents to the user whose interests it matches) [see Col. 4, Lines 41-49].

Frauenhofer does not explicitly teach collecting network addresses of the information servers. However, data collected and categorized from all sources are usually containing the data content and the locations of the sources such as network addresses. In addition, managing a plurality of nodes in the network by collecting IP addresses information (i.e., network addresses of the devices) is well-known in the art as disclosed by Hirai [see Abstract and Fig. 9]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to collect network addresses of the devices along with categorized content data in order to efficiently group information into different subject matters for easy retrieval data associated with categorized network addresses of appropriate sources.

Regarding claim 2, Frauenhofer further teaches the method of instantaneously searching a network of interconnected computers and servers of claim 1 further comprising :

the user node categorizing each user node query prior to transmitting the user node query and the broadcast server transmitting the user node query to a plurality of information servers that have appropriate categorization (i.e., user specifies which topics are of interest and sends queries for appropriate categorized information) [see Col. 4, Lines 48-51 and Col. 5, Lines 36- 47].

Regarding claim 3, Frauenhofer further teaches the method of instantaneously searching a network of interconnected computers and servers of claim 1, wherein the categorization and network addresses comprise information selected from the group consisting of website language, general contents, domain name, and IP address (i.e., website language, document content, URLs, ...) [see Col. 1, Lines 26-50 and Col. 3, Line 38 - Col. 4, Line 12]. In addition, Frauenhofer does not explicitly teach collecting network addresses of the information servers. However, data collected and categorized from all sources are usually containing the data content and the locations of the sources such as network addresses. In addition, managing a plurality of nodes in the network by collecting IP addresses information (i.e., network addresses of the devices) is well-known in the art as disclosed by Hirai [see Abstract and Fig. 9]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to collect network addresses of the devices along with categorized content data for the same reasons set forth above to claim 1.

Claims 5-6, 8 and 13 are rejected under the same rationale set forth above to claim 1.

Regarding claim 9, Frauenhofer further teaches the system wherein the network is selected from the group consisting an Intranet, an Internet and combinations thereof [see Figs. 1-2 and Col. 4, Line 53 - Col. 5, Line 12].

Regarding claim 10, Frauenhofer does not explicitly teach collecting network address (e.g., IP address) of the information servers wherein IP address is selected from the group consisting of a numerical IP address, a fully qualified domain name, and both a numerical IP address and a fully qualified domain name. However, data collected and categorized from all sources are usually containing the data content and the locations of the sources such as network addresses. In addition, managing a plurality of nodes in the network by collecting IP addresses information (i.e., network addresses of the devices) wherein IP address consists of numerical IP address and domain name is well-known in the art as disclosed by Hirai [see Abstract and Fig. 9 and Col. 6, Lines 54-59]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to collect network addresses of the devices along with categorized content data for the same reasons set forth above to claim 1.

Regarding claims 11-12, Frauenhofer and Hirai do not explicitly teach a plurality of broadcast (IBSP) servers and load-balancing (IBSP) servers. However, it is a matter of

engineering choice to implement a plurality of servers for load-balancing purpose before routing data to appropriate destinations.

Claim 14 is rejected under the same rationale set forth above to claim 9.

Claim 15 is rejected under the same rationale set forth above to claim 10.

Claims 16-17 are rejected under the same rationale set forth above to claims 11-12.

4. Claims 4 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Frauenhofer et al (Hereafter, Frauenhofer), U.S. Pat. No. 6,236,991 in view of Hirai, U.S. Pat. No. 6,324,577 and further in view of Baker et al (Hereafter, Baker), U.S. Pat. No. 5,696,898.

Regarding claim 4, Frauenhofer and Hirai do not explicitly teach connecting the user node to the network via a firewall, but Frauenhofer suggests Internet and Intranet which are inherently incorporated with the firewall. In addition, the use of firewall node connects the user node to the network is well-known in the art as disclosed by Baker [see Figs. 1-2 and Col. 1, Line 60 - Col. 2, Line 9]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement a firewall node to limit access directly to the Internet network and protect user node on a LAN from being attacked by the outsiders.

Regarding claim 7, Frauenhofer teaches a system for instantaneously searching a network of interconnected computers and servers comprising :

a plurality of information servers connected over a network, each comprising instructions for categorizing general content resident on the information servers to form a categorization and

for transmitting their categorization to an IBSP server (i.e., collecting, categorizing and searching metadata about contents including URLs provided on the Internet and/or Intranet) [see Figs. 1-2 and Abstract and Col. 4, Line 3 - Col. 5, Line 12];

the IBSP server, connected to the network, comprising instructions for receiving the network addresses and categorization from the information servers (i.e., delivery of categorizing data including URLs in accordance with user profiles) [see Figs. 1-2 and Abstract and Col. 3, Lines 20-60 and Col. 5, Lines 1-11];

a plurality of user nodes comprising instructions for accepting and categorizing user queries, the plurality of user nodes further comprising instructions for transmitting the user node's network address and the categorized queries to a server over the network, a plurality of servers each comprising instructions for receiving the categorization information of the information servers from the IBSP server (i.e., obtaining user query and transmitting the query to the server and searching for categorizing data based on user profile) [see Figs. 1-2 and Abstract and Col. 5, Lines 13-47]; and

the information servers further comprising instructions for searching themselves for specific content responsive to the categorized queries from the user nodes and returning a response to the categorized queries to the server for forwarding to the user nodes transmitting the categorized queries (i.e., sending documents to the user whose interests it matches) [see Col. 4, Lines 41-49].

Frauenhofer does not explicitly teach collecting network addresses of the information servers. However, data collected and categorized from all sources are usually containing the data

content and the locations of the sources such as network addresses. In addition, managing a plurality of nodes in the network by collecting IP addresses information (i.e., network addresses of the devices) is well-known in the art as disclosed by Hirai [see Abstract and Fig. 9]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to collect network addresses of the devices along with categorized content data in order to efficiently group information into different subject matters for easy retrieval data associated with categorized network addresses of appropriate sources. Moreover, Frauenhofer and Hirai do not explicitly teach the user node is connected to the network via a firewall server connected to the network for receiving the user node's network addresses and categorized the queries from a plurality of user nodes and for transmitting the firewall node's network address, the user node addresses, and the categorized queries to the plurality of information servers. However, Frauenhofer suggests Internet and Intranet which are inherently incorporated with the firewall. In addition, the use of firewall connects the user node to the network is well-known in the art as disclosed by Baker [see Figs. 1-2 and Col. 1, Line 60 - Col. 2, Line 9]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement a firewall to limit access directly to the Internet network and protect user node on a LAN from being attacked by the outsiders.

Other References Cited

5. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

A) Tso et al, U.S. Pat. No. 6,385,602.

B) Kohli, U.S. Pat. No. 6,519,585.

C) Shmueli et al, U.S. Pat. No. 6,442,555.

D) Othmer et al, U. S. Pat. No. 6,266,788.

E) Adams et al, U. S. Pat. No. 6,334,145.

6. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitates the new grounds of rejection. Therefore, **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A SHORTENED STATUTORY PERIOD FOR REPLY TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS ACTION. IN THE EVENT A FIRST REPLY IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CAR 1.136(A) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT, HOWEVER, WILL THE STATUTORY PERIOD FOR REPLY EXPIRE LATER THAN SIX MONTHS FROM THE MAILING DATE OF THIS FINAL ACTION.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (703) 308-8767. The Group fax phone number is (703) 746-7239.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PT

Philip Tran
Art Unit 2155
June 27, 2003

HOSAIN T. ALAM
PRIMARY EXAMINER